

erty, and report the same to the board of commissioners under their hands and seals, which report, on being confirmed by the board and spread upon their minutes, shall have the effect of a judgment against said board of commissioners in their corporate capacity of the land so taken: *Provided*, that if any person over whose lands the said street may pass or improvement be erected, or the commissioners, be dissatisfied with the valuation thus made, then in that case either party may have an appeal to the next superior court: *Provided*, *however*, that such appeal shall not hinder or delay the commissioners opening or widening such street or erecting such improvement.

Right of appeal.

Proviso

SEC. 36. The board of commissioners shall have the power to require every owner of real estate in the town of Murphy to pave the street or streets in front of his or her land in such manner and with such material as the commissioners may direct, and to enforce such requirements by proper fines and penalties; and upon failure of such owner to do such paving, the board of commissioners may have the same done and the costs thereof assessed upon the property of such delinquent and added to the taxes against him or her, and collected in the same manner that other taxes or assessments are collected, or judgment may be taken by the town of Murphy, before any court having jurisdiction in Cherokee county, for the costs of such paving, and when docketed in the superior court of Cherokee county such judgments shall have the same lien as possessed by other judgments docketed in said superior court, and be enforced in like manner.

Paving of streets.

SEC. 37. The board of commissioners of said town shall have power to establish fire limits, within which it shall not be lawful for any person to erect or build any wooden house, make any wooden addition to any building, or cover any building with any material other than metal or slate; and they may prohibit wooden buildings from being removed into said fire limits or from being moved from one place to another in the same under such penalties as they may establish, and said penalty may be sued for and recovered from the owner in an action of debt in any court having jurisdiction.

Fire limits.

SEC. 38. That they shall have the power to make ordinances to prohibit or control the firing of fire-arms, fire-crackers, torpedoes and other explosive material, and to govern the sale thereof in the town; the pace and speed at which horses may be ridden or driven through the streets; the speed at which railroad engines and trains shall run within the town limits; to prohibit said railroads from stopping their engines or cars on said streets, and to require said railroads to keep the street-crossings in good repair; the arrangement of all stove pipes and flues in buildings; the manner in which powder and other explosive and inflammable substances may be kept and sold; the manner in which commercial fertilizers are stored; the manner in which dogs and hogs may be kept, and to prevent them from running at large in said town; to cause all alleys, lots, cellars, privies, stables,

Powers of commissioners.